

TITLE 326 AIR POLLUTION CONTROL DIVISION

Emergency Rule LSA Document #13-XXX(E)

DIGEST

Temporarily amends 326 IAC 1-4 to add the federal designations for Lawrenceburg Township in Dearborn County, Lake County, and Porter County to nonattainment of the 2008 8-hour ozone standard, and for the remainder of Dearborn County to unclassifiable or attainment of the 2008 8-hour ozone standard and to add the federal designations for parts of Dearborn County, Gibson County, Pike County, and Spencer County to unclassifiable or attainment of the annual PM_{2.5} standard. Statutory authority: IC 4-22-2-37.1(a)(13). *The original emergency document, LSA Document #13-161(E), posted at 20130417-IR-326130161ERA, effective April 16, 2013, expired July 15, 2013.* Effective _____, 2013.

SECTION 1. (a) This SECTION supersedes 326 IAC 1-4-16.

(b) The following attainment status designations are applicable to Dearborn County:

Pollutant	Designation
SO₂	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Nonattainment effective July 20, 2012, for the 2008 8-hour ozone standard for Lawrenceburg Township. Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard for the remainder of the county.¹
PM_{2.5}	Attainment effective December 23, 2011, for the annual PM_{2.5} standard for Lawrenceburg Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM_{2.5} standard for the remainder of the county.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 2. (a) This SECTION supersedes 326 IAC 1-4-27

(b) The following attainment status designations are applicable to Gibson County:

Pollutant	Designation
SO₂	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard.¹

PM_{2.5}	Attainment effective October 27, 2011, for the annual PM_{2.5} standard for Montgomery Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM_{2.5} standard for the remainder of the county.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 3. (a) This SECTION supersedes 326 IAC 1-4-46.

(b) The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County
O₃	40 CFR 81.315 as amended by 77 FR 34228.^{1,2}
PM_{2.5}	Attainment effective February 6, 2012, for the annual PM_{2.5} standard.
PM₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005.	
² The department has filed a legal challenge to U.S. EPA's designation in 77 FR 34228.	

SECTION 4. (a) This SECTION supersedes 326 IAC 1-4-64

(b) The following attainment status designations are applicable to Pike County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard.¹
PM_{2.5}	Attainment effective October 27, 2011, for the annual PM_{2.5} standard for Washington Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM_{2.5} standard for the remainder of the county.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.

Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 5. (a) This SECTION supersedes 326 IAC 1-4-65.

(b) The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO₂	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	40 CFR 81.315 as amended by 77 FR 34228.^{1,2}
PM_{2.5}	Attainment effective February 6, 2012, for the annual PM_{2.5} standard.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour ozone standard which was revoked effective June 15, 2005.	
² The department has filed a legal challenge to U.S. EPA's designation in 77 FR 34228.	

SECTION 6. (a) This SECTION supersedes 326 IAC 1-4-74.

(b) The following attainment status designations are applicable to Spencer County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard.¹
PM_{2.5}	Attainment effective October 27, 2011, for the annual PM_{2.5} standard for Ohio Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM_{2.5} standard for the remainder of the county.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 7. A variance request from the requirements of this document shall be made in accordance with IC 13-14-8-8.